

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re: )  
)  
EAGLE PROPERTIES AND ) Bankruptcy Case  
INVESTMENTS, LLC, ) No. 23-10566-KHK  
) Chapter 7  
Debtor. )  
\_\_\_\_\_ )

**ORDER GRANTING MOTION TO (I) APPROVE SALE OF  
249 BERKSTONE DRIVE, HARRISBURG, PA FREE AND CLEAR OF LIS PENDENS  
AND JUDGMENT PURSUANT TO 11 U.S.C. § 363(f) AND (II) APPROVE  
SETTLEMENT OF CLAIMS OF WEST HANOVER TOWNSHIP,  
PENNSYLVANIA RELATED TO SHORT-TERM RENTALS**

UPON CONSIDERATION of the motion (Docket No. 529) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to (i) approve the sale of the property commonly known as 249 Berkstone Drive, Harrisburg, PA free and clear of Lis Pendens and Judgment pursuant to 11 U.S.C. § 363(F) and (ii) approve settlement of Claims of West Hanover Township, Pennsylvania related to short term rentals (“Property”); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the proposed sale is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that the Bank of Clarke County, West Hanover Township, Pennsylvania, and Bala Jain, LLC have consented to the sale of the Property as set forth herein, free and clear of all liens, claims and interests, accordingly:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.

Dylan G. Trache, Va. Bar No. 45939  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, Suite 900  
Washington, DC 20001  
(202) 689-2800  
*Counsel to the Chapter 7 Trustee*

2. The Trustee is authorized to sell the Property<sup>1</sup> to Scott A. and Donna Corbin (the “Purchaser”) for \$300,000 consistent with the sales contract attached to the Motion.

3. The Trustee is authorized to pay the secured claim of the Bank of Clarke County in full at closing, as set forth in the draft ALTA attached hereto as Exhibit A (“ALTA”).

4. At closing, the Trustee shall receive, for the benefit of the estate the sum of \$9,000.00 representing his commission under Section 326 of the Bankruptcy Code plus \$15,000.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

5. The Trustee is authorized to pay a three percent (3%) commission to his broker Century 21 New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

6. The Trustee is authorized to pay a two and one half percent (2.5%) commission to Keller Williams at closing for services rendered in representing the Purchaser in connection with the sale.

7. The Trustee is authorized to pay all outstanding real estate taxes, water and sewer escrows and other customary closing costs consistent with the ALTA.

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<sup>1</sup> Having the following legal description:

All that certain parcel or lot of ground situate in West Hanover Township, Dauphin County, Pennsylvania, Bounded and described as follows to wit: Beginning at a point on the West Right-of-Way line of Berkstone Drive, said point being the Northeast Corner of Lot No. 10 on the hereinafter mentioned Plan of Lots, thence along the North side of said Lot No. 10, South Eighty-Eight Degrees Eight Minutes Twenty-Three Seconds West (S 88 Degrees 08' 23" W), One Hundred Sixty-seven (167) Feet to a point; thence along land now or late of John Hinkle and William J. Harper, Jr., North One Degree Fifty-One Minutes Thirty-Seven Seconds West (N 01 Degrees 51' 37" W), One Hundred Thirty (130) Feet to a point; Thence along the South side of Lot No. 12 on the hereinafter mentioned Plan of Lots North Eighty-Eight Degrees Eight Minutes Twenty-Three Seconds East (N 88 Degrees 08' 23" E), One Hundred Sixty-Seven (167) feet to a point on the West Right-of-Way line of the aforementioned Berkstone Drive; Thence along said Right-of-Way line, South One Degree Fifty-One Minutes Thirty-Seven Seconds East (S 01 Degrees 51' 37" E), One Hundred Thirty (130) Feet to a point, the place of beginning, being Lot 11 on a Plan of Lots for Manada Heights Development recorded in Dauphin County Plan Book X, Volume 2, Page 6.

8. The Trustee is authorized to reimburse Auction Markets, LLC at closing in an amount not to exceed \$1,000.00 for any utility and property preservation expenses as needed.

9. The Trustee is authorized to pay West Hanover Township the sum of \$8,000.00 at closing consistent with the Settlement described herein.

10. All remaining net proceeds of sale shall be held by the Trustee pending resolution of the claims of Bala Jain, LLC and further order of this Court.

11. The Trustee is authorized to request and receive all information concerning the liens and debt held by any secured creditor necessary to close on the sale including but not limited to the loan payoff balance, proof of lien perfection, hazard insurance coverage, escrow account balance and other information. Secured creditors are authorized and directed to promptly provide said information to the Trustee upon request of the Trustee, subject to the right of any secured creditor to oppose the request.

12. This Order may be recorded in the land records wherein the subject Property is located.

13. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

14. The following Settlement between the Trustee and West Hanover Township regarding the claims arising out of Case Nos. 2023-cv-2753, 2023-CV-2752 and 2023-cv-2754 (each styled West Hanover Township v. Eagle Properties and Investments, LLC) and the Debtor's other alleged violations of local laws ("Settlement") is approved:

- a. The Trustee had each of the properties located in West Hanover Township inspected, resulting in a report dated May 30, 2024. Buyers of the properties will have until one hundred and eighty (180) days following closing to cure all unpermitted work violations and West Hanover Township has the right to re-inspect the properties.

- b. Buyers have been informed and have acknowledged in writing of the prohibition on short term rentals in West Hanover Township.
- c. The Trustee will pay the sum of \$8,000.00 in full and complete settlement of the monetary claims of West Hanover Township related to the alleged violations. Upon payment, West Hanover Township will immediately release any judgments recorded on the land records against the properties that are the subject of the settlement, with the exception of Dauphin County docket 2023-CV-2752, which shall be released upon the sale of 6961 Sterling Road, Harrisburg, Pennsylvania.
- d. The Trustee will not violate the prohibition on short term rentals while in possession of the properties or rent to anyone under twenty-one (21) years of age.

15. Purchasers shall have until one hundred and eighty (180) days following closing to cure all unpermitted work violations and West Hanover Township has the right to re-inspect the properties.

16. Subject to Paragraphs 9 and 10 hereof, the Sale authorized by this Order shall be free and clear of the:

- a. Praecipe to Index Action as Lis Pendens filed by Bala Jain, LLC in the Land Records of Dauphin County, Pennsylvania as Instrument Number 20220035866. *See* Exhibit B. Property to be sold free and clear of the Lis Pendens; and the
- b. Default Judgment arising out of Case No. 2023-cv-2753, West Hanover Township v. Eagle Properties and Investments, LLC (“Judgment”). Property to be sold free and clear of the Judgment.

17. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: Aug 22 2024

/s/ Klinette H Kindred  
United States Bankruptcy Judge

Entered On Docket: Aug 23 2024

PREPARED BY:

NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001  
Tel: (202) 689-2800  
Fax: (202) 689-2860  
Email: [dylan.trache@nelsonmullins.com](mailto:dylan.trache@nelsonmullins.com)

By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

SEEN AND AGREED:

HOOVER PENROD PLC  
342 South Main Street  
Harrisonburg, Virginia 22801  
540/433-2444  
540/433-3916 (Facsimile)  
[hhutman@hooverpenrod.com](mailto:hhutman@hooverpenrod.com)

By: /s/Hannah W. Hutman (by DGT with authority)  
Hannah W. Hutman, (VSB No. 79635)

*Counsel to Bank of Clarke County*

AND

SALZMANN HUGHES, P.C.  
1801 Market Street, Suite 300  
Camp Hill, PA 17011

By: /s/ Elizabeth Kramer (by DGT with authority)  
Elizabeth Kramer

*Counsel to West Hanover Township*

SEEN:

ROGAN MILLER ZIMMERMAN, PLLC  
50 Catoctin Circle, NE, Suite 300  
Leesburg, Virginia 20176  
Phone No. (703) 777-8850  
Fax No: (703) 777-8854  
E-mail: crogan@RMZLawFirm.com

BY: /s/Christopher L. Rogan (by DGT with authority)  
Christopher L. Rogan (Bar No. 30344)

*Attorneys for Bala Jain, LLC*

**CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)**

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache  
Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY**  
**PURSUANT TO LOCAL RULE 9022-1**

Dylan G. Trache  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001

Michael Freeman  
OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314

Stephen Karbelk  
Team Leader, RealMarkets  
Century 21 New Millennium  
Century 21 Commercial New Millennium  
6629 Old Dominion Drive  
McLean, VA 22101

Elizabeth L. Kramer  
Salzmann Hughes, P.C.  
1801 Market Street, Suite 300  
Camp Hill, PA 17011

Christopher Rogan  
ROGAN MILLER ZIMMERMAN, PLLC  
50 Catoctin Circle, NE, Suite 300  
Leesburg, Virginia 20176

**Exhibit A**

American Land Title Association

ALTA Settlement Statement - Combined

Adopted 05-01-2015

**Universal Settlement Services of PA**

**ALTA Universal ID:**

**1423 N Atherton Street**

**2nd Floor**

**State College, PA 16803**

File No./Escrow No. : PA-24-1777  
 Print Date & Time: August 12, 2024 3:23 pm  
 Officer/Escrow Officer :  
 Settlement Location : 1423 N Atherton Street, 2nd Floor  
 State College, PA 16803  
  
 Property Address: 249 Berkstone Dr  
 Harrisburg, PA 17112  
 Borrower: Scott A. Corbin and Donna Corbin  
 113 Blue Mountain Dr.  
 Fredericksburg, PA 17026  
 Seller: H. Jason Gold, Bankruptcy Trustee of the Bankruptcy Estate of Eagle Properties and  
 Investments, LLC  
 PO Box 57359  
 Washington, DC 20037  
 Lender: The Ephrata National Bank, ISAOA/ATIMA  
  
 Settlement Date: August 30, 2024  
 Disbursement Date: August 30, 2024

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Financial</b>		
	300,000.00	Sale Price of Property	300,000.00	
		Deposit		5,000.00
1,000.00		Seller Credit		1,000.00
		<b>Prorations/Adjustments</b>		
	54.26	Sewer 08/30/24-10/01/24	54.26	
	353.20	City/Town Taxes 08/30/24 - 12/31/24	353.20	
	1,780.03	Assessments 08/30/24 - 06/30/25	1,780.03	
		<b>Other Loan Charges</b>		
		Attorney Title Exam Fee to RL Title and Escrow Inc.	150.00	
150.00		Settlement and Closing Fee to RL Title and Escrow Inc.	895.00	
		<b>Title Charges and Escrow/Settlement Charges</b>		

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Title Charges and Escrow/Settlement Charges (continued)</b>		
		CPL	125.00	
		TIRBOP Endorsement 100 (Covenants, Conditions and Restrictions) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 300 (Mortgage Survey Exception) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 900 (Environmental Protection Lien - Residential) to Universal Settlement Services of PA	100.00	
150.00		Deed Prep to The Nittany Group		
1,000.00		Final Sewer to Universal Escrow		
500.00		Final Water to Universal Escrow		
145.00		Tax Cert Fee to Universal Settlement Services of PA		
		Title Search Fee to Universal Settlement Services of PA	100.00	
		<b>Commissions</b>		
9,000.00		Commission - Listing Agent to Century 21 New millennium		
7,500.00		Commission - Selling Agent to Keller Williams Realty		
		<b>Government Recording and Transfer Charges</b>		
		Recording Fees to Dauphin County Recorder of Deeds	281.50	
1,500.00		Transfer Tax to Dauphin County Recorder of Deeds	1,500.00	
1,500.00		Transfer Tax to Dauphin County Recorder of Deeds	1,500.00	
		<b>Payoff(s)</b>		
201,538.83		Payoff of First Mortgage Loan to Bank of Clarke Loan Payoff 201,264.61 Additional Interest From: 274.22 08/22/24 Through: 08/30/24 @ 19.587200 Per Diem plus 5 Extra Days Total Payoff <u>201,538.83</u>		
		<b>Miscellaneous</b>		
1,170.17		2024 county/twp taxes to West Hanover Township Tax Collector		
2,129.06		2024-2025 school taxes to West Hanover Township Tax Collector		

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Miscellaneous (continued)</b>		
9,000.00		326(a) Bankruptcy Estate Payment to H. Jason Gold, Bankruptcy Trustee		
15,000.00		Bankruptcy Estate Payment to H. Jason Gold, Bankruptcy Trustee		
7,664.94		delinquent taxes/good thru 8/30/24 to Dauphin County Tax Claim		
1,000.00		Expense Reimbursement to RealMarkets		
8,000.00		Judgment 2023-CV-2753 to West Hanover Township		
Seller			Borrower	
Debit	Credit		Debit	Credit
267,948.00	302,187.49	<b>Subtotals</b>	307,038.99	6,000.00
		<b>Due from Borrower</b>		301,038.99
34,239.49		<b>Due to Seller</b>		
302,187.49	302,187.49	<b>Totals</b>	307,038.99	307,038.99

### Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Universal Settlement Services of PA to cause the funds to be disbursed in accordance with this statement.

Borrower

\_\_\_\_\_  
Scott A. Corbin

\_\_\_\_\_  
Donna Corbin

Seller

H. Jason Gold, Bankruptcy Trustee of the Bankruptcy Estate of Eagle Properties and Investments, LLC

BY: \_\_\_\_\_

\_\_\_\_\_  
Escrow Officer

**Exhibit B**

Alan V. Klein, Esq.  
alan.klein@offitkurman.com  
Attorney I.D. No. 57104  
OFFIT KURMAN, P.A.  
401 PLYMOUTH ROAD, SUITE 100  
PLYMOUTH MEETING, PENNSYLVANIA 19462  
(267) 338-1300

Parcel ID: 68-024-182  
UPI: 68-024-182-000-0000

**IN THE COURT OF COMMON PLEAS OF  
DAUPHIN COUNTY, PENNSYLVANIA  
12<sup>th</sup> JUDICIAL DISTRICT**

**12th JUDICIAL DISTRICT**

**BALA JAIN, LLC,  
6007 Marilyn Drive  
Alexandria, Virginia 22310,**

**Plaintiff,**

**v.**

**EAGLE PROPERTIES AND INVESTMENTS  
LLC, ET AL.,**

**Defendants.**

**IN THE CIRCUIT COURT  
OF FAIRFAX COUNTY  
VIRGINIA  
No. [CL-2022-0009687]**

**PRAECIPE TO INDEX ACTION AS LIS PENDENS**

TO THE PROTHONOTARY:

You are hereby notified that on the 18<sup>th</sup> day of July, 2022, suit was instituted by the undersigned and on November 22, 2022 an amended complaint was filed, in the above captioned and styled cause in the Circuit Court of Fairfax County, Virginia, and that the following are all the names of the parties to said suit:

<u>Name of Plaintiff</u>	<u>Name of Defendant</u>	<u>Kind of Suit</u>
Bala Jain, LLC 6007 Marilyn Drive Alexandria, Virginia 22310	<b>EAGLE PROPERTIES AND INVESTMENTS LLC</b> 445 Windover Avenue Vienna, Virginia 22180 Serve: J. Chapman Petersen, Esq. Chap Petersen & Associates, PLC 3970 Chain Bridge Road Fairfax, Virginia 22030 <i>Counsel for Eagle Properties and Investments, LLC, Monika Jain and Amit Jain</i>	The lawsuit alleges that one or more of the Defendants used money it borrowed from Bala Jain, LLC to acquire, improve, and/or develop the subject Property. The lawsuit alleges that the Defendants engaged

	<b>MONIKA JAIN</b> 445 Windover Avenue Vienna, VA 22180 Serve: J. Chapman Petersen, Esq. Chap Petersen & Associates, PLC 3970 Chain Bridge Road Fairfax, Virginia 22030 <i>Counsel for Eagle Properties and Investments, LLC,  Monika Jain and Amit Jain</i>	in fraud, conspiracy to commit fraud, breach of contract, and seeks a declaratory judgment and injunctive relief establishing a constructive trust against this Property and such other relief as may be necessary to protect and prepare Bala Jain, LLC's interest in the Property.
	<b>AMIT JAIN</b> 445 Windover Avenue Vienna, VA 22180 Serve: J. Chapman Petersen, Esq. Chap Petersen & Associates, PLC 3970 Chain Bridge Road Fairfax, Virginia 22030 <i>Counsel for Eagle Properties and Investments, LLC,  Monika Jain and Amit Jain</i>	
	<b>FIRST CLASS TITLE, INC.</b> 1803 Research Blvd, Suite 512 Rockville, Maryland 20850 Serve: Jessica Summers, Esq. The Law Firm of Paley Rothman 4800 Hampden Lane, 6 <sup>th</sup> Floor Bethesda, MD 20814 jsummers@paleyrothman.com <i>Counsel for First Class Title, Inc. and  Daniel Kotz, Esq.</i>	
	<b>Daniel Kotz, Esq.</b> 1803 Research Blvd #512 Rockville, MD 20850 Serve: Jessica Summers, Esq. The Law Firm of Paley Rothman 4800 Hampden Lane, 6 <sup>th</sup> Floor Bethesda, MD 20814 jsummers@paleyrothman.com <i>Counsel for First Class Title, Inc. and  Daniel Kotz, Esq.</i>	
	<b>ARPAAGRO GENERAL TRADING, LLC</b> 2567 Chain Bridge Rd Unit 2E Vienna, VA 22182	
	<b>EAGLE PROPERTIES, LLC</b> 445 Windover Ave. Vienna, VA 22180	
	<b>EAGLE INVESTMENTS, LLC</b> 445 Windover Ave. Vienna, VA 22180	
	<b>TRUE PROPERTIES, LLC</b> 2567 Chain Bridge Road, Unite 2E Vienna, Virginia 22182	

	<b>TRUE PROPERTIES, LL</b> 2567 Chain Bridge Road, Unite 2E Vienna, Virginia 22182,	
	<b>Sell USA LLC</b> 445 Windover Ave. Vienna, VA 22180	
	<b>495 REAL ESTATE, LLC</b> <b>2567 Chain Bridge Road, Unite 2E</b> <b>Vienna, Virginia 22182</b> 2567 Chain Bridge Road, Unite 2E Vienna, Virginia 22182,	
	<b>SHEHLA JARRAL</b> 514 Bond Avenue Reisterstown, Maryland 21136	
	<b>MUHAMMAD JARRAL</b> 514 Bond Avenue Reisterstown, Maryland 21136	
	<b>SPSVA, LLC</b> c/O: Satpal Singh, registered agent 10313 Henderson Road Fairfax Station, Virginia 22039	
	<b>DOLBI USA, LLC</b> c/o: Shaikh R. Rahim, Managing Member 13306 Smoketown Road Woodbridge, Virginia 22192	
	<b>SHAIKH M. RAHIM</b> 145 W Ostend Street, Suite 600 Baltimore, Maryland 21230	
	<b>MOHEED RAHIM</b> 145 W Ostend Street, Suite 600 Baltimore, Maryland 21230	
	<b>JACQUELINE ALEXANDER</b> 1009 Sweetgrass Circle La Plata, Maryland 20646	
	<b>CAPITAL ONE, NATIONAL ASSOCIATION</b> 1680 Capital One Dr. Mc Lean, VA, 22102	
	<b>FULTON FINANCIAL CORPORATION</b> 1 Penn Sq, PO Box 4887 Lancaster, PA, 17602	
	<b>MAIN STREET BANK</b> c/o: Kagan, Stern, Marinello and Beard, PLLC, registered agent 10089 Fairfax Boulevard Fairfax, Virginia 22030	
	<b>BANK OF CLARKE COUNTY</b> c/o: Kathleen J. Chappell, registered agent 2 East Main Street Berryville, Virginia 22611	
	<b>NAVY FEDERAL FINANCIAL GROUP, LLC</b> 1007 Electric Ave, Vienna, VA, 22180	

	<b>SAPTAL SINGH,</b> 10313 Henderson Road Fairfax Station, Virginia 22039	
	<b>ATLANTIC UNION BANK</b> <b>f./k/a UNION BANK &amp; TRUST</b> c/o: RACHAEL LAPE, registered agent Union Bankshares Corporation 1051 E. Cary Street, Suite 1200 Richmond, Virginia, 23219	
	<b>PNC BANK, N.A.</b> 249 Fifth Avenue Pittsburgh, Pennsylvania 15222	
	<b>PRIMIS BANK D/B/A/ SONA BANK</b> 10900 Nuckols Road, Suite 325 Glen Allen, Virginia 23060	

Please index this action filed in the Virginia state courts as a *lis pendens* against the property located at 249 Berkstone Dr, Harrisburg, PA 17112. Parcel ID 68-024-182 UPI: 68-024-182-000-0000, more particularly described as:

ALL THAT CERTAIN PARCEL OR LOT OF GROUND SITUATE IN WEST HANOVER TOWNSHIP, DAUPHIN COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS TO WIT: BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF BERKSTONE DRIVE, SAID POINT BEING THE NORTHEAST CORNER OF LOT NO. 10 ON THE HEREINAFTER MENTIONED PLAN OF LOTS, THENCE ALONG THE NORTH SIDE OF SAID LOT NO. 10, SOUTH EIGHTY-EIGHT DEGREES EIGHT MINUTES TWENTYTHREE SECONDS WEST (S 88 DEGREES 08' 23" W), ONE HUNDRED SIXTYSEVEN (167) FEET TO A POINT; THENCE ALONG LAND NOW OR LATE OF JOHN HINKLE AND WILLIAM J. HARPER, JR., NORTH ONE DEGREE FIFTYONE MINUTES THIRTY-SEVEN SECONDS WEST (N 01 DEGREES 51' 37" W), ONE HUNDRED THIRTY (130) FEET TO A POINT; THENCE ALONG THE SOUTH SIDE OF LOT NO. 12 ON THE HEREINAFTER MENTIONED PLAN OF LOTS, NORTH EIGHTY-EIGHT DEGREES EIGHT MINUTES TWENTYTHREE SECONDS EAST (N 88 DEGREES 08' 23" E), ONE HUNDRED SIXTYSEVEN (167) FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE AFOREMENTIONED BERKSTONE DRIVE; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH ONE DEGREE FIFTY-ONE MINUTES THIRTY-SEVEN SECONDS EAST (S 01 DEGREES 51' 37" E), ONE HUNDRED THIRTY (130) FEET TO A POINT, THE PLACE OF BEGINNING. BEING LOT NO. 11 ON A PLAN OF LOTS FOR MANADA HEIGHTS DEVELOPMENT RECORDED IN DAUPHIN COUNTY PLAN BOOK X, VOLUME 2, PAGE 6.

THE DERIVATION OF SAME BEING:

The same being property conveyed by Deed executed by GLENN ZEAGER AND FLORENCE ZEAGER, HIS WIFE, AND PAUL G. LANDIS AND ANNA MARIE LANDIS, HIS WIFE, BY THEIR ATTORNEY-IN-FACT GLENN ZEAGER, on 3/29/1979, as recorded on 3/29/1979 at Book/Liber 20, Page/Folio 566, Instrument in the land records of DAUPHIN COUNTY, PENNSYLVANIA.

Parcel Identification Number: 68-024-182-000-0000

I certify that this action involves title to real estate and seeks relief in the form of imposition of a constructive trust based on Eagle Properties and Investments, LLC's ("Eagle") use of loan proceeds it obtained from Bala Jain, LLC for the purchase, improvement and development of the real estate at issue. Bala Jain, LLC has filed a lawsuit against Eagle, Amit Jain, Monika Jain, First Class Title, and Daniel Kotz. The lawsuit alleges, *inter alia*, that: Amit Jain, Monika Jain, First Class title and Daniel Kotz committed fraud and conspiracy to commit fraud in order to deceive Bala Jain, LLC to lend Eagle \$7.5 million in loans to purchase, improve, and develop various real properties, including the real estate at issue (Counts I and II), and that Bala Jain is entitled to declaratory judgment that Eagle's failure to repay the loans combined with the other defendants to fraud entitles Bala Jain to seek imposition of a constructive trust on the real estate at issue (Count III).

Plaintiff is seeking a Constructive Trust on the property referenced herein.

Dated: December 12, 2022

Respectfully submitted,



---

Alan V. Klein, Esq.  
alan.klein@offitkurman.com  
Attorney for Plaintiff  
OFFIT KURMAN, P.A.  
401 PLYMOUTH ROAD, SUITE 100  
PLYMOUTH MEETING, PENNSYLVANIA  
19462  
(267) 338-1300

**VERIFICATION**

I, SHAIL BUTANI, verify that I am Managing Member of Bala Jain, LLC, a Virginia LLC, and I am authorized to make this verification on its behalf. The allegations in the foregoing praecipe to index an action as *lis pendens* are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

Bala Jain, LLC, a Virginia LLC,

By: Shail Butani

SHAIL BUTANI

Its: Managing Member

Alan V. Klein, Esq.  
alan.klein@offitkurman.com  
Attorney I.D. No. 57104  
OFFIT KURMAN, P.A.  
401 PLYMOUTH ROAD, SUITE 100  
PLYMOUTH MEETING, PENNSYLVANIA 19462  
(267) 338-1300

IN THE COURT OF COMMON PLEAS OF  
DAUPHIN COUNTY, PENNSYLVANIA  
12<sup>th</sup> JUDICIAL DISTRICT

Court Term: JULY, 2022

**BALA JAIN, LLC,** )  
)  
Plaintiff[s], )  
)  
v. )  
)  
**EAGLE PROPERTIES AND** )  
**INVESTMENTS LLC, ET AL.,** )  
)  
)  
Defendant[s]. )

IN THE CIRCUIT COURT  
OF FAIRFAX COUNTY VIRGINIA  
No. [CL-2022-0009687]

**CERTIFICATION OF COMPLIANCE WITH**  
**CASE RECORDS PUBLIC ACCESS POLICY**

I certify that this filing, which includes a Praeipce to Index as Lis Pendens, complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

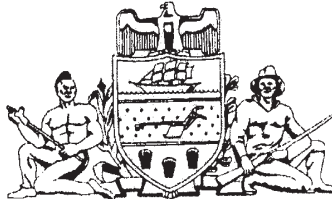
12/12/2022



Alan V. Klein

James M. Zugay, Esq.  
Recorder of Deeds  
(717) 780-6560

Candace E. Meck  
First Deputy



*Location:*  
Dauphin County Courthouse  
Room 102  
Front & Market Streets  
Harrisburg, PA 17101

## Recorder of Deeds

Harrisburg, Pennsylvania

### CERTIFIED END PAGE

INSTRUMENT #: 20220035866  
RECORD DATE: 12/14/2022 8:56:01 AM  
RECORDED BY: CMECK  
DOC TYPE: LIS PEND  
AGENT: SIMPLIFILE  
DIRECT NAME: BALA JAIN, LLC  
INDIRECT NAME: EAGLE PROPERTIES & INVESTMENTS LLC

RECORDING FEES - State: \$0.50  
RECORDING FEES - County: \$13.00  
ACT 8 OF 1998: \$5.00  
ADDITIONAL NAME FEE: \$6.00  
TOTAL NAMES: \$10.50

UPICount: 1  
UPIFee: 20  
UPIList: 68-024-182-000-0000

I Certify This Document To Be Recorded  
In Dauphin County, Pennsylvania.



James M. Zugay, Recorder of Deeds

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THIS IS A CERTIFICATION PAGE

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**PLEASE DO NOT DETACH**

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THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

In re:  
Eagle Properties and Investments LLC  
Debtor

Case No. 23-10566-KHK  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0422-9  
Date Rcvd: Aug 23, 2024

User: TaiGlennB  
Form ID: pdford11

Page 1 of 3  
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2024:

Recip ID	Recipient Name and Address
	+ Elizabeth L. Kramer, Salzmnn Hughes, P.C., 1801 Market Street, Suite 300, Camp Hill, PA 17011-4803
RE	+ Stephen Karbelk, Team Leader, RealMarkets, Century 21 New Millennium, 6629 Old Dominion Dr, McLean, VA 22101-4516

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpreion04.ax.ecf@usdoj.gov	Aug 24 2024 00:28:00	UST smg Alexandria, Office of the U. S. Trustee, 1725 Duke Street, Suite 650, Alexandria, VA 22314-3489

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 25, 2024 Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2024 at the address(es) listed below:

Name	Email Address
Andrew S Goldstein	on behalf of Creditor GITSIT Solutions LLC AGoldstein@mglspc.com, jcoffman@mglspc.com
Barry W. Spear	on behalf of Creditor Aero Mortgage Loan Trust 2019- 1 Barry.Spear@bww-law.com bankruptcy@bww-law.com
Bradley J. Swallow	on behalf of Defendant Main Street Bank bswallow@fblaw.com

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Christian K. Vogel	on behalf of Interested Party Primis Bank kvogel@vogelandcromwell.com
Christian K. Vogel	on behalf of Defendant Primis Bank f/k/a Sona Bank kvogel@vogelandcromwell.com
Christopher A. Jones	on behalf of Debtor Eagle Properties and Investments LLC cajones@whitefordlaw.com clano@whitefordlaw.com;dchaney@whitefordlaw.com
Christopher L. Rogan	on behalf of Defendant Shail Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Creditor Bala Jain LLC crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Ishwer Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Bala Jain LLC crogan@rmzlawfirm.com
Corey Simpson Booker	on behalf of Creditor Atlantic Union Bank corey.booker@atlanticunionbank.com
Craig M. Palik	on behalf of Creditor Trinity Universal Insurance Company cpalik@mhlawyers.com cpalik@yahoo.com;dmoorehead@mhlawyers.com;cpalik@ecf.inforuptcy.com;kmadden@mhlawyers.com;mnickerson@mhlawye rs.com
David S. Musgrave	on behalf of Creditor Fulton Bank N.A. dmusgrave@gfrlaw.com, vhilbun@gfrlaw.com
David S. Musgrave	on behalf of Defendant Fulton Financial Corporation dmusgrave@gfrlaw.com vhilbun@gfrlaw.com
Dylan G. Trache	on behalf of Trustee H. Jason Gold dylan.trache@nelsonmullins.com linnea.hann@nelsonmullins.com;alexandria.tracy@nelsonmullins.com;mari.cooper@nelsonmullins.com
Elizabeth Husebo	on behalf of Defendant Daniel J. Kotz ehusebo@grsm.com
Elizabeth Husebo	on behalf of Defendant First Class Title Inc. ehusebo@grsm.com
Erik W. Fox	on behalf of Creditor Vienna Oaks Office Center Condominium efox@reesbroome.com rhurley@reesbroome.com;rchambers@reesbroome.com;pgoodwine@reesbroome.com
Gerard R. Vetter	ustpregion04.ax.ecf@usdoj.gov
H. Jason Gold	goldtrustee@fiduciaryservicesgroup.com VA19@ecfcbis.com;hjc@trustesolutions.net;lgrahl@fsscommerce.com
Hannah White Hutman	on behalf of Creditor Bank of Clarke County hhutman@hooverpenrod.com scurtis@hooverpenrod.com;hooverpenrodplc@jubileebk.net
J. P. McGuire Boyd, Jr	on behalf of Defendant Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Creditor Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Defendant Bank of Clarke County mboyd@williamsmullen.com
Jack Frankel	on behalf of U.S. Trustee Gerard R. Vetter jack.i.frankel@usdoj.gov USTPRegion04.ax.ecf@usdoj.gov;Robert.W.Ours@usdoj.gov
James R. Meizanis, Jr.	on behalf of Creditor LINKBANK jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
James R. Meizanis, Jr.	on behalf of Creditor Virginia Partners Bank jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
Jeffery T. Martin, Jr.	on behalf of Debtor Eagle Properties and Investments LLC jeff@martinlawgroup.com martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com;jeff@martinlawgroupva.com

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Jeffery T. Martin, Jr.

on behalf of Plaintiff Eagle Properties and Investments LLC jeff@martinlawgroup.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com;jeff@martinlawgroupva.com

Jeffery T. Martin, Jr.

on behalf of Counter-Defendant Eagle Properties and Investments LLC jeff@martinlawgroup.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com;jeff@martinlawgroupva.com

Jeremy B. Root

on behalf of Creditor Virginia Partners Bank jroot@bklawva.com  
tjones@bklawva.com;mnoble@bklawva.com;wcasterlinejr@bklawva.com;jmeizanis@bklawva.com

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jfarnumecfnotices@gmail.com;dbernard@milesstockbridge.com

Joshua David Stiff

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lisa@mbvesq.com;verstandig.mauricer104982@notify.bestcase.com;verstandiglaw@recap.email

Nancy Greene

on behalf of Debtor Eagle Properties and Investments LLC ndg@ndglaw.com

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on behalf of Plaintiff Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Professional N D Greene PC ndg@ndglaw.com

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Stephanie Gardner Bortnick

on behalf of Defendant First Class Title Inc. sbortnick@grsm.com

Stephen W. Nichols

on behalf of Creditor Orrstown Bank snichols@offitkurman.com

TOTAL: 49